

HOUSE BILL 1902
By Sands

AN ACT to amend Tennessee Code Annotated, Title 8, relative to compensation for state employees who are injured as a result of workplace violence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-50-111, is amended by deleting the section in its entirety and substituting instead the following:

(a) Notwithstanding any other law to the contrary, whenever an employee of the state of Tennessee is absent from assigned duties which arises out of, or from, an incident of workplace violence, the employee shall be entitled to full pay and other benefits without forfeiture, including the use of accumulated sick leave or other leaves provided by the state. The state shall reimburse employees for reasonable out-of-pocket costs associated with the incident. Such reimbursements may include any fees or costs associated with the filing of any court action against the perpetrator or perpetrators of the acts leading to the injury of the employee. Reimbursement shall include the replacement cost of clothing or other personal property destroyed, damaged or lost while the employee was acting within the apparent scope of his or her duties. The department of personnel may adopt rules and regulations for the implementation of this section.

(b) In the event that the injured employee receives any monetary recovery from or settlement with a third party where the state recovers any part of such recovery in compensation for payments made pursuant to this section, the state shall pay a pro rata share, based upon the percentage of the recovery it receives, of any attorneys fees paid or agreed to by the injured employee to secure such settlement or recovery.

(c) Nothing in this section shall be construed to prevent an injured state employee from requesting permission to use any sick leave benefits in accordance with § 8-50-802.

(d) This section shall apply to injuries sustained after the effective date of this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.